

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

MANUELA ONTIVEROS-LERMA,

Plaintiff,

vs.

Civ. No. 99-1008 LH/WWD ACE

ROGER TERRAZAS, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Defendant Roger Terrazas' Motion for Protective Order [docket no. 43] filed April 7, 2000. Defendant seeks to obtain a protective order barring any examination relating to allegations or charges of sexual misconduct by Brenda Dillon against him because of a pending criminal prosecution. Apparently Defendant has made certain statements about his interaction with Belinda Dillon to police authorities after having been advised of his right to remain silent. Although Defendant may properly invoke his right against self-incrimination under the Fifth Amendment, I will decline to issue an order covering the whole area of testimony, some of which may not give rise to any claim of self-incrimination and some of which may be concerning matters where Defendant's claim of self-incrimination has been waived.

**WHEREFORE,**

**IT IS ORDERED** that Defendant Roger Terrazas' Motion for Protective Order [43] be,  
and it hereby is, **DENIED**.

  
UNITED STATES MAGISTRATE JUDGE